

STATE OF TENNESSEE

Office of the Attorney General



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REGULATORY AUTH.  
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OFFICE OF THE  
EXECUTIVE SECRETARY

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March 5, 2002

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**RE: Tariff of Citizens Telecommunications Company  
of the Volunteer State LLC  
to Provide Rate Reductions to Offset a  
Portion of the 2002 Tax Credit  
Docket No.: 02-00144**

Dear Mr. Waddell:

Enclosed is an original and thirteen copies of a Complaint and Petition to Intervene by the Consumer Advocate and Protection Division of the State of Tennessee's Office of the Attorney General in the above-referenced matter. We request that this be filed with the Tennessee Regulatory Authority. We have served copies on all parties of record. If you have any questions, kindly contact me at (615) 532-3382. Thank you.

Sincerely,

Shilina B. Chatterjee  
Assistant Attorney General

Enclosures  
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**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>IN RE: TARIFF OF CITIZENS</b>	<b>) DOCKET NO. 02-00144</b>
<b>TELECOMMUNICATIONS COMPANY</b>	<b>)</b>
<b>OF THE VOLUNTEER STATE LLC TO</b>	<b>)</b>
<b>PROVIDE RATE REDUCTIONS TO</b>	<b>)</b>
<b>OFFSET A PORTION OF THE 2002 TAX</b>	<b>)</b>
<b>CREDIT</b>	

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**COMPLAINT AND PETITION TO INTERVENE**

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Comes Paul G. Summers, the Attorney General & Reporter, through the Consumer Advocate and Protection Division of the Office of Attorney General (hereinafter "Attorney General"), pursuant to Tenn. Code Ann. § 65-4-118 and Rule 1220-1-2-.02 of the Tennessee Regulatory Authority and respectfully complains and petitions to intervene in this case on behalf of the public interest since consumers may be affected by actions taken in this docket. The Attorney General complains and petitions as follows:

1. The Attorney General has a duty and the authority under Tenn. Code Ann. § 65-4-118(c)(2)(A) to represent the interests of Tennessee consumers of public utilities services.
2. Additionally, under Tenn. Code Ann. § 8-6-109, the Attorney General has the duty and authority to attend to all business of the state.
3. The Attorney General is authorized by Tenn. Code Ann. §§ 65-4-118 and 65-5-

210(b) to initiate, participate or intervene in proceedings to represent the public interest in accordance with the Uniform Administrative Procedures Act ("UAPA").

4. Citizens Telecommunications Company of the Volunteer State, LLC ("Citizens") is a telecommunications utility regulated by the Tennessee Regulatory Authority ("TRA") pursuant to Tenn. Code Ann. §§ 65-4-101 and 65-4-104. Its usual address for service is 300 Bland Street, P. O. Box 770, Bluefield, West Virginia.

5. Citizens filed a tariff to provide reductions to offset a portion of the 2002 Tax Credit in order to comply with Tennessee Code Annotated § 67-6-222. However, Citizens has failed to divide the annual savings over an twelve period as opposed to their filed eighteen month period which results in understated reduction in rates to business customers.

6. Citizens filed a tariff to provide reductions to offset a portion of the 2002 tax credit in order to comply with Tennessee Code Annotated § 67-6-222, however, they have not complied with the statute. Tennessee Code Annotated § 67-6-222 indicates that any net tax savings are to be passed onto business customers in the form of a price reduction.

7. If the tariff allowing the rate reduction to offset a portion of the 2002 tax credit becomes effective, it would result in understated rate reductions to business customers contrary to the intent of Tennessee Code Annotated § 67-6-222.

8. Tennessee Code Annotated § 67-6-222(5)(c) specifically states that any net tax savings "shall inure to the benefit of business customers" through an adjustment in prices in a rate reduction.

9. Only by participating and/or intervening in this proceeding can the Attorney General accomplish the purposes set forth by the General Assembly thereby representing and

protecting the interests of Tennessee consumers in public utility services.

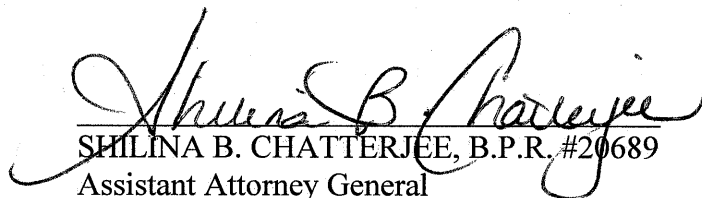
WHEREFORE, the Consumer Advocate and Protection Division of the Office of the Attorney General prays that Citizens' tariff is denied or in the alternative that the Authority convene a contested case for the purpose of evaluating the issues in this matter.

Respectfully submitted,

PAUL G. SUMMERS, B.P.R. # 6285  
Tennessee Attorney General



TIMOTHY C. PHILLIPS, B.P.R. #012751  
Assistant Attorney General  
Office of the Attorney General  
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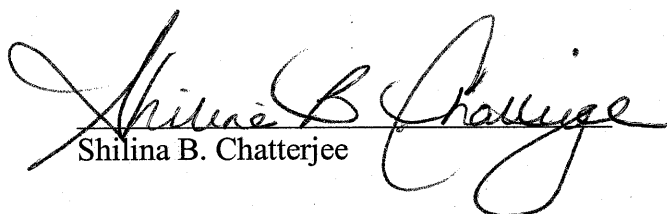


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Assistant Attorney General  
State of Tennessee  
Office of the Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, Tennessee 37202  
(615) 532-3382

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Complaint and Petition to Intervene was served on parties below via facsimile and U.S. Mail, postage prepaid, on March 5, 2002.

Citizens Telecommunications  
300 Bland Street  
P.O. Box 770  
Bluefield, WV 24701

  
Shilina B. Chatterjee

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